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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the matter of )  
Amendment of Section 73.202(b) )  
FM Table of Allotments ) MM Docket No. 02-212  
FM Broadcast Stations. ) RM-10516  
(Vinton, Louisiana, Crystal Beach, ) RM-10618  
Lumberton, and Winnie, Texas) )

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To: The Commission

REPLY OF CHARLES CRAWFORD

1. The opposition of Tichenor License Corporation dated January 5, 2005 is without merit. We have no intention of charging Tichener with acting in bad faith as claimed in the opposition at 7. Rather, we argue that the agency's Tuck policy is unlawfully subjective and undisciplined, permitting parties to secure allotments in the guise of providing a first local service under Section 307(b) of the Act no matter what the facts and circumstances may be. Tichenor is merely taking advantage of this flawed agency policy. In so doing, its bona fides are no less than ours in attacking such a policy.

2. Tichener argues at 5-7 that the alternative to the Tuck policy is worse than the Tuck policy itself. We do not presume to have the answer for fixing or replacing the Tuck policy. We have made the case for the fact that it is not working and especially is not adaptable to granting a first local service preference for an existing dominant station in a major market as proposed by Tichenor in the Houston market here and by owners of dominant stations in the Dallas-Fort Worth, Austin and San

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Antonio markets in another proceeding cited in our Application for Review.

3. The Commission knows how to run allotment programs effectively. Its programs for allotting television channels dating back 50 years and for allotting commercial FM channels dating back almost as long have produced a marvelous grid of television and FM broadcasting services, second to none in the world, that is one of the spectacular federal regulatory success stories in our nation. Surely the Commission can fashion a policy that does not grant first local service status "for the asking" and that brings rational thought to bear on the new wave of Tuck structures in which existing dominant major market stations claim first local service credit for tiny communities within their markets.

Respectfully submitted,



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January 14, 2005

CERTIFICATE OF SERVICE

I certify that on this 14th day of January, 2005, I have caused copies of the foregoing REPLY OF CHARLES CRAWFORD to be placed in the United States mails, first class, postage prepaid, to the following counsel for Tichenor License Corporation:

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Gene A. Bechtel